

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SCOTT L. PATTERSON,)	JUDGE JOHN R. ADAMS
)	
Petitioner,)	CASE NO. 1:05CV1624
)	
vs.)	<u>MEMORANDUM OF OPINION</u>
)	<u>AND ORDER RE: DISMISSING</u>
JULIUS WILSON,¹ Warden,)	<u>PETITIONER'S APPLICATION FOR</u>
)	<u>WRIT OF HABEAS CORPUS</u>
Respondent.)	[RESOLVING DOC. 34]

On June 16, 2005, petitioner *pro se* Scott L. Patterson's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 was filed in this Court. The Court granted petitioner's motions for leave to supplement and to amend his petition. *See* Docs. 13 and 24. The Petition, as supplemented (Doc. 12) and amended by the memorandum in support of the motion for leave (Doc. 23-2), alleges thirteen (13) grounds for relief which challenge the constitutional sufficiency of the petitioner's conviction for one count of sexual battery and one count of unlawful sexual conduct with a minor.

The Court referred the above-entitled case to Magistrate Judge Nancy A. Vecchiarelli for preparation of a report and recommendation pursuant to 28 U.S.C. § 636 and Local Rule 72.2(b)(2). *See* Order (Doc.4). The magistrate judge submitted a Report & Recommendation (Doc. 30) recommending that the Petition be denied. Petitioner filed objections to this recommendation (Doc. 34).

¹Margaret Bradshaw was the original respondent. She was sued in an official capacity as a public officer. Petitioner has been transferred to Richland Correctional Institute, where Julius Wilson is the Warden. Pursuant to Fed. R. Civ. P. 25 (d)(1), Wilson's name has been automatically substituted as a party.

The Court has reviewed the report and recommendation of the Magistrate Judge, *de novo*. The Court finds that the report and recommendation is well-supported and that the petitioner's objections are without merit. Therefore, the report and recommendation of the Magistrate Judge is hereby ADOPTED and the petitioner's objections are OVERRULED. Scott L. Patterson's Petition for a Writ of Habeas Corpus will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

August 22, 2007
Date

/s/ John R. Adams
John R. Adams
U.S. District Judge